



DAC 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
Joseph ANDERSON :
Serial No.: 10/629,158 : Art Unit: 1722
Filed: 07/29/2003 : Examiner: <unassigned>
For: PERISTALTIC MACHINE FOR : Atty Docket: JRAC-0001
DEPOSITING VISCOUS :
MATERIALS :

PETITION UNDER 37 C.F.R. § 1.78(a)(3), (a)(6)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions under 37 C.F.R. § 1.78(a)(3), (a)(6) to accept an unintentionally delayed claim under 35 U.S.C. §§ 119, 120, 121, and/or 365(c) for the benefit of a prior filed application(s). Accompanying this petition are:

- (i) the reference(s) required by 35 U.S.C. §§ 119(e), 120, 121, and/or 365(c), and 37 C.F.R. § 1.78(a)(2), (a)(5) has been previously submitted by way of Applicants Second Preliminary Amendment dated April 7, 2004. Applicant has followed Example #9 of OPLA, *Benefit Claims to Prior Applications*, at <http://www.uspto.gov/web/offices/dcom/olia/aipa/presentations.htm> (Feb. 19, 2003);
- (ii) the surcharge set forth in 37 C.F.R. § 1.17(t) of \$1,370.00 (check # 1004); and
- (iii) STATEMENT: The entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii), (a)(5)(ii) and the date the claim was filed was unintentional.

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1370.00 OP

Respectfully submitted,

Todd E. Marlette
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Date: March 8, 2005
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